

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

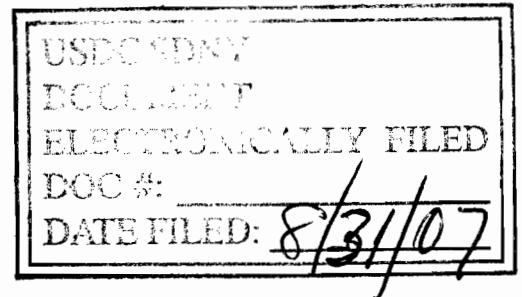
-----X
NAACP LEGAL DEFENSE AND
EDUCATIONAL FUND,

Plaintiff,

-v.-

U.S. DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT,

Defendant.
-----X



07 Civ. 3378 (GEL)

ORDER

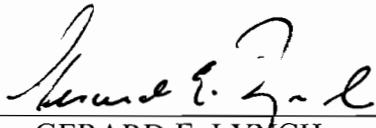
GERARD E. LYNCH, District Judge:

The parties have submitted to chambers brief but dense letters about the technical status of cross-motions for partial or complete summary judgment. The Court prefers to decide matters on the merits, and to hear what the parties have to say in the matter, rather than to strike or ignore submissions that are substantively clear and relevant based on technical deficiencies. Plaintiff filed a motion; defendant responded and filed a cross-motion of its own; plaintiff then filed a subsequent brief that apparently contains all it wishes to say on the subject and will be deemed both a response to the defendant's cross-motion and a reply brief on its original motion. The defendant seeks, and in the normal course would be permitted to file, a reply brief on its own cross-motion.

It is therefore ORDERED that the defendant may file a reply brief on or before September 10, 2007. The defendant is reminded, however, that it has had ample opportunity to present its position, that the issues raised in the parties' motions are largely identical, and that further briefing should only be necessary to the extent that new matter on the merits of the dispute can be found in the plaintiff's reply/response on which the defendant did not have the opportunity to comment in its response to the plaintiff's original motion.

SO ORDERED.

Dated: New York, New York
August 31, 2007


GERARD E. LYNCH
United States District Judge